

NOTICE OF PUBLIC HEARING

The Arkansas Pollution Control and Ecology Commission will hold public hearings October 4 and 6, 2004, to receive comments on proposed changes to Commission Regulation Nos. 14 and 22, the Arkansas Waste Tire Program, and Arkansas Solid Waste Code, respectively. The hearings will be held in Springdale and Little Rock.

The Springdale hearing will begin at 6:00 p.m. in the Jones Center for Families Chapel, 922 East Emma. The Little Rock hearing will be at 2:00 p.m. in the Arkansas Department of Environmental Quality's (ADEQ) Building G Commission Room, located within the Arkansas State Police Headquarters, No. 1 State Police Plaza. At each hearing, representatives from the ADEQ Solid Waste Division will present information concerning proposed changes to each regulation, followed by separate periods for formal public comments on each regulation.

The Commission's authority for adopting and amending Regulation No. 14 is found in Arkansas Code Annotated Section 8-9-401, et seq., and the authority for amending Regulation No. 22 is found in Arkansas Code Annotated Section 8-6-201, et seq.

Many of the proposed changes to the two regulations involve revising their format and structure to conform to the standardized format adopted for other Commission regulations, as well as to conform with recent statutory requirements.

Proposed substantive changes to Regulation No. 14, which would be the first changes to the regulation since its adoption in 1992, include fee increases for motor vehicle and large truck tires and the addition of an import fee for out-of-state tires, as authorized by legislation approved in 2003; revisions in the formula used to allocate waste tire grant funds to regional solid waste management districts (RSWMDs), and changing the grant round from an annual to a biannual basis; elimination of a requirement that RSWMDs submit separate information on illegal tire dump identification and cleanup plans, since the information is being compiled by the districts in another format; expansion of funding categories from which the RSWMDs may set aside up to 10 per cent of the monies to finance administrative costs; increased storage capacity for waste tire collection centers, and a provision, under extraordinary circumstances, to allow waste tire processing facilities to increase their storage limits; changes in requirements for above-ground waste tire storage; revised financial assurance requirements; and new provisions involving enforcement actions and closure of unpermitted waste tire sites.

Because Regulation No. 22 has not been revised since 1995, the proposed changes are too numerous to adequately summarize within the limitations of this legal notice. In addition to formatting changes, new and revised definitions, clarifications and updated language to reflect statutory changes involving solid waste management, the proposed revisions to Regulation No. 22 involve many new or revised provisions involving areas such as solid waste disposal facility design and operation; monitoring and reporting requirements; new provisions for composting facilities, transfer stations, and construction and demolition recovery facilities; revised financial assurance procedures and requirements; and requirements for landfill closure and post-closure activities.

A complete listing of the proposed changes to Regulation No. 22 is found in the document "Petition to initiate rulemaking to amend Regulation No. 22, Solid Waste Management," which can be found on the ADEQ's Internet web site, the address for which is listed in the following paragraph.

Copies of the proposed changes to both regulations are available for public inspection during regular business hours at the ADEQ's Little Rock office in the Customer Service Division, located in Building D, 8101 Interstate 30, or ADEQ information depositories located in public libraries at Arkadelphia, Batesville, Blytheville, Camden, Clinton, Crossett, El Dorado, Fayetteville, Forrest City, Fort Smith, Harrison, Helena, Hope, Hot Springs, Jonesboro, Little Rock, Magnolia, Mena, Monticello, Mountain Home, Pocahontas, Russellville, Searcy, Stuttgart, Texarkana, and West Memphis; in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway; or in the Arkansas State Library located on the State Capitol grounds at Little Rock. In addition, a copy of the regulation showing the proposed changes is available for viewing or downloading at the ADEQ's Internet web site located at www.adeq.state.ar.us.

Oral and written comments will be accepted at the hearing, but written comments are preferred in the interests of accuracy. In addition, written and electronic mail comments will be considered if received no later than 4:30 p.m. October 20, 2004. Written comments should be mailed to Doug Szenher, Customer Service Division, Arkansas Department of Environmental Quality, P.O. Box 8913, Little Rock, AR 72219-8913. Electronic mail comments should be sent to: reg-comment@adeq.state.ar.us.

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